## THE NEW YORK HERALD.

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MORNING EDITION .-- SATURDAY, APRIL 23, 1853.

PRICE TWO CENTS.

THE LATEST FROM WASHINGTON. The Appointment of New York Postmasters. Albany Soft Shells and John Van Buren on the Cround.

THE CENTRAL AMERICAN POLICY.

Mr. Buchanan's Mission to England. Reform in the Treasury Department, die., die., die.

THE ALBANY AND BUFFALO APPOINTMENTS-THE BORLAND AND THE CENTRAL AMERICAN MISSION.
WASHINGTON, April 22, 1863

John Van Buren and a lot of Albany soft shells came in last night. Seymour and Corning are to be here to-day. The trouble is the Albany Postmaster. The soft shells will be satisfied with almost anybody except Johnson, of the Argus. Nafew, Clerk of the Assembly, and the Senate Clerk, are also here. Albany, Buffalo, and other New York appointments, it is understood, come up in cabinet council to day. The Prince is as cheerful as the morning. John Van Buren and Young America dined with Gen.

Salvador by the Scuate, since the inauguration of Gen. Pierce, indicates his policy in regard to Central America It is on the simple principle of entire freedom from any entangling alliances with England or any other European power. We understand this treaty was held back by the last administration, perhaps from apprehension of

It is reported that Solon Borland, who has declined the Governorship of New Mexico, will get the mission to Central America, perhaps.

CORRECTING ABUSES IN THE TREASURY DEPART-MENT—EXCITEMENT AMONG THE HOLDERS OF FLORIDA CLAIMS—MR. BUCHANAN AND HIS MISSION TO ENGLAND—DIBMISALS AND REDUCTIONS IN THE REVENUE SERVICE—INDIAN AGENTS, ETC.

WASHINGTON, April 22-11 P. M. The new Secretary of the Treasury is endeavoring to reenedy the abuses in the department which grew up under Mesars. Cerwin and Hodge as rapelly as they come to light. In addition to putting a stop to the stock brokerage, and the extraordinary custom house contracts in New Orleans, California, and elsewhere, he has reversed a decision made in certain Florida claims, which creates quite an excitement amongst the interested. It appears dulie an excitement amongst the interest of several that Mr. Corwin made additional allowances of several thousand dollars on some Florida claims growing out of the eighth article of the treaty with Spain, after the declaion of former Secretaries against such extra allowance. Mr. Guthrie has refused to acquiesce in Mr. Corwin's de-cision, and takes the same ground in the matter occupied by the late Judge Woodbury. In the cases decided by Mr. Corwin the money was paid, but Mr. Guthrie stops it

I learn at the State Department that Mr. Buchanan ember of Congress from Maine, to accept the position of cretary of Legation at London. Mr. Appleton's acceptance would be of great advantage to the country, as he would bring to the position abilities of a high order, added to modest deportment and a true American heart Mr.
Buchanan intends to set an example of republican sim-plicity in the conduct of his mission, and it will be seen whether it will not command fully as much respect as lavish expenditure and toadyism. In Mr Appleton he

It having been decided to restrict the employment of the officers of the revenue marine to the number and and in the course of construction, the following change have taken place in that branch of the public service:-

Teckiel Jones, of Mass.

W. W. Polk, Md.
Gibert Krapp, do.
W. B. Whitchead, Md.

First Lieutenanta.

Beverly Diggs, Md.

Nicholas Austin, R. I.

W. B. Whitehoad, Md.

First Lieutenanta
Beverly Diggs, Md.
Anold Burroughs, N. J.

Scoond Lieutenanta.

A. G. Cook, Pa.

C. W. King, Maine.

Third Lieutenanta.

John A. Underwood, N. H.
Thos. Osborne, S. C.
A. S. Cushman, N. H.
J. McNones, Del.
W. G. Nimmo, Va.
J. Delagnelle.
D. C. Constable, N. Y.
Wm. D. Kennon, Dist. Col.
E. A. Morrell,
G. H. Wheeler. Maine.
S. W. Gillett, N. Y.
J. E. Wilson, D. C.

OFFICIERS REDUCTED IN RAME.

The following officers have been reduced to

lower grade:—Coptains to be First Lieutenants.
J. J. Morrison, Ga nats to be Second Lieutenants.

W. H. Gladding, R. I.
W. J. Rogers, Va.
J. M. Jones, Del.

nants to be Third Lieutenants.

Io. Z. Forrest, Md.
J. H. Merryman, Ill.
J. G. Bond, N. Y.
W. A. Tennison, Texas,
Samuel Willox, D. C.

nas been appointed. Indian Acceptance. George Clark, Va.
First Lieutenants to be
W. B. Randolph, Fa.
E. O. Murden, S. C.
A. L. Hyde, Ct.
Second Lieutenants to
E. H. Cummings, Ohlo.
D. G. F. Gardner, Md.
Henry Wilkinson, Va.
James D. Usher, do.
Thomas Moffatt, N. J.

Burton A. James has been appointed Indian Agent for the Sacs and Foxes, and A. J. Vaughn, Indian Agent for THE DISTRICT ATTORNEYSHIP OF NORTH CAROLINA-

SURVEY OF THE RAILROAD ROUTES TO THE PA-CIFIC CLERKS BEMOVED — THE PRESIDENT'S HEALTH—THE GARDNER TRIAL, ETC. FROM THE GENERAL NEWSPAPER AGENT. WASHINGTON, April 22, 1853.

their applications for the district attorneyship of North Carolina, and the President has decided to make the appointment from the western part of the State. Charles S. Frailey, of Ohio, has been appointed Chief

Clerk of the Land Office, vice Cabell, removed. Quite a number of clerks are reported to have been dis-

Major Stevens has nearly completed his arrangements for the survey of a northern route for the Pacific Railsent to Oregon, via the Isthmus, to start from Puget's Sound and meet the exploring party in the mountains. Another of the party has been sometime in Canada col-lecting in ormation from the Hudson Bay Company, &c. The Washington Union denies the reported ill health of

the President, and says that his health has decidedly improved, and that he has geined, both in strength and weight, since the inauguration.

In the Ga deer trial, a large portion of to day was occupied in an examination concerning the compensation paid by the United States to witnesses. Mr. Bradley stated that the defence hoped to conclude their evidence

Washington Gossip.

[From the Washington Republic, April 21.]
The Hon A G. Penn, of Louislans, left Washington last night for his home. The administration have again called him into the public service, entrusting him with the important functions as Commissioner for the construction of the magnificent new custom house now being built in New Orleans, which, when completed, will be the most claborate and extensive structure of the kind belonging to the government of the United States. His service in the last Congress made him a host of friends here, all of whom are much gratified that, having made up his mind to retire from that field, he has been again sought out by his friends in the government as the recipent of their confidence. It will be remembered that under the administration of Mr. Polk he was postmaster of the city of New Orleans. The fidelity with which he discharged that trust embraces a guarantee that his selection in this instance will prove for the public interest, and gratifying to the people of New Orleans, without distinction of party.

Learn from gentlemen who frequently visit the White

to the people of New Orleans, without distinction of party.

I learn from gentlemen who frequently visit the White House, that yesterday it was determined to appoint the Hon. ex Senator Henry A. Foster, District Attorney of the northern district of New York, though that gentleman is not a citizen of Buffalo—the democratic leaders of that city having claimed the post as one which should of right fail to the lot of some gentleman living immediately in their midst. The Hon. George W. Clinton, of Buffalo, was Mr. Foster's principal competitor. It was taken for granted that the fact that he is the son of his father would have proved sufficient to insure him the office. Mr. William L. G. Smith. of Buffalo—who has been much in Washington since the spoils have been in process of being divided out—is said to be very indignant because a Roman has obtained this heretofore Buffalo appointment, Mr. Smith having been himself an applicant for it. He is the author of "Upele Tom's Çabin as it

is." There has been a considerable struggle over the Buffalo appointments, ending in an understanding. I fancy, that Mr. Dorsheimer is not to get the Post Office; and that Mr. Dickey, a delegate to the Baltimore Convention, is to get it; and, further, that Mr. Hudson distances all competitors for the Collectorship for that port. Ever since the 4th of March last at least a dozen leading democratic politicians of Buffalo have been here, doing their best to regulate matters. They have sedulously sought each to grind his own axe. Yet some of them must now go home proneuncing the Pierce administration composed of the most stupid and ungrateful set of fellows on the face of the earth.

Very recontly, in cabinet council, it was informally de-

most stupid and ungrateful set of fellows on the face of the earth.

Very recently, in cabinet council, it was informally determined that Tennessee must positively have something handseme in the shape of a diplomatic appointment. One such place, at least, I have no doubt that Governor Trousdale is to receive: and that, having given him a full mission, the friends of other Tennessee applicants for such places, will be notified that Trousdale's good fortune must be considered ample satisfaction for all asking Tennesseeans. It has also been settled that the Hon. Joseph B. Bowlin, of St. Louis, who has been on the anxious bench since the 4th ultimo, shall have something nice as soon as convenient; that is, as soon as a stray chargeship tumbles across their path.

The Hon. Mr. McNair, of Pennsylvania, who is here, is said to be exceedingly solicitous about places in the Philadelphia custom house for his friends—so much so as greatly to alarm friends of Messra. Robbins and Herence, who are now in Washington, who claim the offices in Philadelphis to be the Philadelphia democracy's perquisites only, not those of the unterrified throughout the Keystone State. Mr. McNair's efforts to compass the appointment of a Mr. Barrell (from the county,) to be a deputy or assistant appraisor there, have given rise to the flutter.

It is most probable that the steam friegate Sacanac, now shout to go into dook at Norfolk.

deputy or assistant appraisor shere, has been determined the flutter.

It is most probable that the steam frigate Sacanac now about to go into dock at Norfolk, for the repair o niquise her hull is supposed to have recoized in going ashore lately near Savannah, Georgia, will not proceed to join the Mediterranean squadron, for which she was under orders when the ascident above mentioned occurred. The delay to enable her to go into dock gives rise to the supposed necessity for changing her destination.

nation.

I hear that the Hon. Themas Corwin. on his return from his approaching continental tour, designs locating for the practice of his profession, in Louisville, Ky., having made arrangements to reside in the immediate vicinity of that city.

Postage on Newspapers to the Continent of Europe, &c.

[From the Washington Union, April 22.]

We have been furnished by the Post Office Department with the following list of countries, the postage on newspapers to which, when sent from the United States in the British or open mail to Great Britain for transmission, is two cents each, to be pre-paid, (instead of four cents, as stated in the postage tables last published), being the United States postage only. When newspapers for these countries are to go in the United States and Prussian closed mail, the rate required to be pre-paid is six cents—being the full United States, British, and German postage:—

man postage:— Alexandria, city of, via Marseilles, by French packet.
Algeria.

\*Austria and its States, via France.

\*Baden, via France.

\*Bavaria, via France.

Belgium.
Belgium.
Bremen, city of.
Bremen, city of.
Bremen, city of.
Strunswick, via France.
Beyrout. city of, via Marseilles, French packet.
Cuxhaven.
Dardanelles, the, via Marseilles, by French packet.
Poemark, via France. Greece, via Marseilles, by French packet. Hamburg.

\*Hamburg. starselifes, by l \*Hamburg. via France. Holland. Lubeck, free city of. \*Mecklenburg, via France. Moldavia. Naples, kingdom of, via Marseilles, by French packet.

\*Oldenburg, do. Poland, (cannot be forwarded except as letters.) Roman or Papal States.
Russia, (cannot be forwarded except as letters.)
Saxony, via France.

Saxony, via France.

\*Schwerin, do.

Strelitz, do.

Scutari. Asis, city of, via Marseilles.

Smyrns, do. do. do.

Sweden, via France.

Switzerland.

Turkey, (Europe)

Turscapy, via Marseilles.

Venetian States.

Wallachia.

Wurtemburg.

Norz.—For the countries marked \*, newspapers can be forwagded, in the British or open mail, only by the routes respectively specified above.

The annual meeting of this society, which was to have been held in the Tabernacle last evening, was postponed till next Wednesday, in consequence of the weather. There were not more than twenty persons present, and some of the speakers were absent. The New York Marine Society, we are informed by the last annual report was organized in 1770, under a charter granted by George the Third, for the benevolent purpose of relieving the destitute widows and orphan children of deceased shipmasters. Since its organization the society has distrit so thousand dollars, and have now a permanent fund of nearly forty-four thousand dollars. This amount, says the report, is loaned on bond and mortgages on real es-estate worth double the amount, in New Yerk and Brook-lyn; and the duties of the Committee on Loans have been so cautiously attended to, together with the examination of titles by the society's able attoracy and counsellor. Daniel Lord, Jr., that little or no loss has ever been sus-tained.

of titles by the society's able attoracy and counsellor, Daniel Lord, Jr., that little or no loss has ever been sustained.

The society has now on its list fifty six widows of shipmasters, who receive from the funds annually, (paid semi annually, and always in advance)—of the first grade, thirty-one widows, \$60 each; of the second grade, thirteen widows, \$50 each; of the third grade, twelve widows, \$40 each.

The fifty-six widows now on the list, receive annually, from the funds of the society about three thousand dollars. One widow has received from the society over eighteen hundred dollars, and two other widows whose husbands were members, received more money annually, for over fifty years, than the whole amount paid by their husbands into its treasury. About thirty, continues the report, and more than half the recipients of the bounties of the society, have for over wenty years without intermission, been annually made to rejoice in the amounts regularly paid them by the treasurer.

The total amount maid in pensions and donations to distressed masters, widows and orphan children, since the formation of this society in 1870, up to January 1st, 1852, amounts to the sum of \$156,000.

The permanent fund of this society, as before stated, is about forty four thousand dollars. The initiation fee for full membership for a shipmaster is only thirty dollars, and the annual payment afterwards of two dollars, secures to his wife a share of this fund, should she stand in need of it. The report urges upon shipmasters sailing from this port the necessity of enrolling their names as members of this, the oldest society, and which, according to its meaus, has done more good than any other institution of the kind in this country.

The following bequests have been made to the society at various times during the last ten or twelve years:—Capt. Christopher Prince, who was secretary to the society twenty-four years, \$950; Capt. The President seventeen years, \$500; Capt. Wm. Whitlock, who was a member for forty-seven years, and Fir

Court of General Sessions.

Before Judge Basks and Ald. Ward and Denman.

SENTENCES.

April 22.—Peter Gillespie, convicted of assault and lattery, was fined \$10.

APRIL 22.—Peter Gillespie, convicted of assault and battery, was fined \$10.

Thomas Jones, the young boy convicted of robbing M. McNamara in James street, under circumstances fully reported, was sent to the House of Refuge.

Vallentini, the Italian indicted for assault and battery, with intent to kill, but convicted of an assault only, as also before stated, was fined \$50, and directed to enter into recognizances to keen the peace.

with intent to kill, but convicted of an assault only, as also before stated, was fined \$50, and directed to enter in o recognizances to keep the peace.

John Bross, who pleaded guilty of an attempt at petit larceny, was committed for three months, or what is termed among the initiated "a drag."

Mary Ann Slee, a servant of Mrs. Shaw, who lived in Broome street, and who was convicted on Wednesday last of petit larceny, second offence, was sentenced to two years' imprisonment.

Harriett E. Sylvester, a colored woman, pleaded guilty of larceny, and was sentup for the same time.

TRIAL FOR RAPE.

John Kaine, Michael Campbell, John F. Finley, John Cox, and Andrew McQuillian were jointly indicted for a rape on the person of Mary Ann Long, about a fortnight ago; and now Kaine, Campbell, Cox, and McQuillian were placed on trial. The testimony of the complainant was quite unsatisfactory; and the District Attorney abandoning the case, a formal verdict of not guilty was taken, and the prisoners were discharged.

The Grand Jury came into court, and the foreman observed that they had some business before them which could not be got through to day (this being the usual day for adjournment), and they would therefore meet tomorrow morning.

The Ceut adjourned accordingly until to-morrow (this day), and the petit jurors were discharged for the term.

HEALTH OF THE PRESIDENT .- We see in the tele ruphic columns of certain journals a story to the effect that the health of the President has suffered from his severapplication to the engrossing and laborious duties of his position. This is an utterly unfounded rumor. In truth, the health of the President has decidedly introduced his many laborious duties, and he has gained both in weight and strength. His habits of method give him leisure for the exercise necessary to sustain his health.— Washington Union, April 22. LATE AND INTERESTING FROM MEXICO.

The Effects of the Thunder Storm Yesterday.

Marine Intelligence--- New York Canals, &c., &c., &c.

Affairs in Mexico. ARREST OF MR. FALCONETTE—OVATIONS TO SANTA ANNA—THE NEUTRALITY TREATY WITH THE UNITED STATES, ETC.
BALTIMORE, April 22, 1858.

New Orleans papers of Saturday came to hand at moor City of Mexico papers to the 2d inst. had been received

Mr. Falconette had been arrested by order of Judg Buchell, on demand of ex-deputies of the last Congress The editors look upon the measure as a proper step to

The arrival of Santa Anna at Vera Cruz, on the 1st inst., was immediately communicated by telegraph to the city of Mexico, and the event was celebrated by the firing of canaon and ringing of bells.

The conduct of Martinez, Governor of Oajaca, had caused a sensation at Mexico. He acted independent of the federal government; had invited Santa Anna to return to Mexico, and had distributed five thousand muskets belonging to the State to the indians, whose assistance he had been courting. The papers called upon President Lombardini to send a sufficient force to Oajaca to prevent a war of castes.

Santa Anna was entertained at Vera Cruz on the 3d inst., by the municipality, with a banquet, at which he was toasted and extolled in the most extravagant manner. Santa Anna gave but one toast, as follows:

"Under the shadow of the Mexican flag may there be but one cry—Independence or Death!"

The Marquis Rivera, the new Spanish Minister, arrived

cue cry—Independence or Death!"

The Marquis Rivera, the new Spanish Minister, arrived at Vera Cruz on the same steamer as Santa Anna.

The acting Minister of Foreign Affairs had addressed a vote of thanks to Senors Tornel and Castillo Lauxas, for the fact and ability they had displayed in arranging the neutrality treaty with Judge Conkling, and advising them that the same had been ratified by the President.

From Philadelphia.

HEAVY THUNDER STORM—JUDGE GIBSON.
PHILADELPHIA, April 22, 1858.
The western telegraph line is down between here and Lancaster. We had a severe thunder storm this evening, and hall fell as large as musket balls. Much glass was broken, and the various green house gardeners on the outskirts of the city have suffered considerably.

The reported death of Judge Gibson is incorrect. He is lying sick in this city, but is not considered in a dan-

Telegraph Office Struck by Lightning BUYFALO, April 22, 1853.

A severe thunder storm occurred here about half past two o'clock this morning, during which the lightning entered the Morse telegraph office, destroying three in struments, and, melting the gas pipes, set the office on fire. The fire was fortunately confined to the office, as Oliver Lee's bank and several exchange brokers' offices were also situated in the building.

ALBANY, April 22-9 P. M. The breaks near Amsterdam are closed. The level at Schenectady is filling with water, and the boats will move to night or to morrow. The Champlain Canal is all

State of the New York Canals.

Interesting from New Brunswick. Bosrow, April 22, 1853. We have New Brunswick papers of the 19th inst.

The discussion of the election bill in the Assembly a topic of much public interest. A committee of the Assembly have reported in favor o

making Campo Bello a free port, where goods from all parts of the world could be stored free of duty. Marine Intelligence-From Fayal.

BOSTON, April 22, 1858. The bark Io arrived this morning from Fayal, April 5

The bark lo arrived this morning from Fayal, April 5. She reports having left ship Angelo, from Mauritius for Lonion, condemned; ship Charlotte Read, for Bath, sailed on the 24th ult.; ship Wm. A Cooper, from Cardiff for New York, put in 7th ult. for sails, &c.; was repaired and sailed 30th.

The Io, on the 7th inst., in lat. 39 20, lon. 58 10, fell in with the wreck of the schr. Fanny, of New York, water logged. Her maximus thad been cut away, and her fore mast was gone by the deck. She had apparently been boarded and stripped.

Mr. Payne, the president, and Mr. Stone, the superin-INDIANOPOLIS, April 22, 1853. road, and Mr. Goodman, president of the Bellefontains and Indianopolis Railroad, are at this city, in convention with the directors of the Indianopolis and Bellefontain read, arranging for running their respective roads in concert. The latter company commence on the 1st May running their new equipage—it having heretofore been run by the Indianopolis and Madison Railroad company. A dozen contractors from New York, Connecticut, and el-ewhere, passed through here to-day, in reference to the Toledo and St. Louis road.

The Emplie City at New Orleans. New Orlsans, April 22, 1853. The Empire City, from New York, on the 12th, via Haana, has arrived.

THE WELDON AND GASTON BAILBOAD, ETC.
BAITBORE, April 22, 1855.
The City Council of Baltimore and other guests returne this morning from their excursion to the opening of the Weldon and Gaston Railroad, highly delighted with the

trip.
The Maryland Legislature has passed a bill establishing another court in Baltimore.
We have no mail south of Richmond to night.

New ORLEANS, April 22, 1853.

Cotton is still beavy and unsettled. Barely twelve hundred bales have been sold. It is impossible to give a correct list of quotations yet. Sugar, melasses, and coffee are dull Bacon sides are worth 7%c. Sterling has advanced. The best signatures are worth 9% a 9%

BAITIMORS, April 22 1868.

Twenty four thousand barrels of flour have been exported from here during the present week and the total value of foreign exports amount to half a million dollars.

THE WAITERS' STRIKE CONTINUED.

The war between the waiters and hotel proprietors still continues, neither party being willing to submit to the other. Of the three or four hundred waiters who were out of employment on Thursday, about two hundred have been provided with situations, and the remainder, it is thought, will soon procure work. In the meantime, thought, will soon procure work. In the meantime, those who are unable to support themselves will be supplied with funds by the society, on condition that they will bereafter pay the money thus received. The hotel keepers who have been deprived of their writers by this strike, rather than submit to their terms have employed green hands, or sent to Philadelphia and other places to engage others. The latest accounts from the general headquarters in Grand street, that it is the Intention of the society to address a general circular to the employers throughout the city, which it is hoped will have the effect of producing a cess sation of hostilities until an amicable adjustment of the differences can be made.

STRIKE AMONG THE MARINE FIREMEN AND COAL PASSERS.

The firemen and coal passers at work on board the various steamships now in port, appeared before their employers yesterday merning, and demanded the advance in their wages, stating their determination to strike in the event of a refusal. The owners of the steamships Washington and Black Warrior granted the advance before eleven o'clock. The success of the men on these boats induced those at work on the Arctic and facilite to strike, and the whole force, numbering about two hundred, formed in regular order and marched do an West street, stopping opposite the steamship Black Warrior and giving three cheers for her owners, Captain Eggs, and the other officers. After this demonstration they proceeded to Warren street, where a deputation was sent on board the Cherckee and Crescent City, to make known their demands to the captaion. The advance was given on both vessels, on condition that the men who were on a strike should go to work, which they agreed to do. The strikers rest visited the James Adger, the Florida and the Union, the owners of which informed them that the demands of the men had been compiled with, and they were now working for the increased rate of wages. The firemen of the Washington had no occasion to strike as they received the advance the moment they presented their petition. As the favorable news was received from each of shess vessels it was greeted with cheers. When they returned to Canal street they again sppiced to Mr. Collins, but did not get any answer. They then went home, with the intention of renewing their demand next morning. ious steamships now in port, appeared before their em

FOREIGN CONSUL.—The President has recognized william Crabines as consul of Bremen for the port of Savannah.

NEWS BY TELEGRAPH. The Double Murder at Kinderkamnek, N. J. Trial of William Cating, for the Murder of Mary and Daniel O'Brien.

COURT OF OYER AND TERMINER. Before Chief Justice Greene. HACKENBACK, April 21, 1863.

AVIDENCE POR THE DEFENCE.

On the reassembling of the court, Mr. Bradley proceeded to examine witnesses for the defence.

Timothy O'Brien was cross-examined by the prisoner' counsel.—Q. Did the man ever ask for this money?

A. Yes, two or three weeks before he killed my daughter A. Yes, two or three weeks before he killed my daughter he asked me for the money, but I refused to give it to him, saying it was too bad for him to ask for what he had given ne; he had been boarding with me for the last two years, and never gave me any money except that, which was in the Savings Bank; when he gave me the money, I told him I would take care of him as long as he wished to stay with me; he afterwards asked me for the money, and on the above night he made such a noise that I said to him that if he would come with me I would get the money out for him, if he would leave me and neveragain come near me; but he said it was too much expense for two to go to New York, and that it would do for me to go; I told him that I would not give him the money unless he would leave me; this was the day before he killed the children; his clothes, when he came to the house, were so dirty that he had to bury them in a sand pit; he was not clean about his person; witness told him to keep himse fe clean; he wanted to marry witness's daughter, and told him so in the middle of November last; when he spoke to him he did not remember what he raid, for witness, got mad at him, and said he should leave him; he then asked witness for his moze; this was the first time he asked for it; he then said that he did not wish witness to speak any more about it, and if he did this he would be as good a friend as ever; witness scolded him a good deal when he spoke to him about the money; he did not speak on that subject again; could not tell whether he was frightened or met; the little girl was near eleven years old; did not observe anything unusual in his conduct; he was very cross when witness said he would not give him the money, he was good at the mind of two or three days before the murder; saw him the day he was sent to jail by the Coroner, and asked him why he killed his children he said he was him the day he was sent to jail by the Coroner, and his mind for two or three days before the murder; saw him the day he was sent to jail by the Coroner, and saked him why he killed his children he said he did it because witness would not give him his money; the witness the laws the prisoner if he did not say he would have a good day's work done for him; he nawwered and said that he had, and was willing to die for it; the night before he murder he came into witress' trom, passed through, and then went dewn stairs; the way to stay with me; he afterwards asked me for the money, and on the above night he made such a noise that I said

hold of him and said that if he ever mentioned that proposition again, they should part; he then began to scold him, and he promised not to speak on the subject again.

Jacob Quackenbush deposed that he knew the prisener; he had worked for him, and he thought he was the first one who employed him after he come from Ireland; he gave him six dellars a month; he left him because he had a black man with whom he could not agree; he told witness that his reason for leaving was because the negroused to jaw him a good deal, and he was afraid that he would be tempted to do comething that would not be very good; he was extremely quiet at the time; this was in 1861; he lived with witness for about three months, in the spring of 1862; witness noticed no change in his appearance during the time he was with him; one time he came to him and said that he had given him a bad half dollar; he was very annyr about it; the prisoner was a pretty fair worker, and did his business as well behind his back as before him; he was generally silent, but talked and joked a little sometimes; did not see him angry at any other time.

John Johnson, being duly sworn, deposed that he knew the prisoner; gave him \$5.00 a month for work; saw him on the Monday before the Friday of the fatal occurrence, and he appeared not to be perfectly satisfied with O'Brien; never told any one that Catigg was not right is his mind.

—Bogart, deposed that he knew Cating for the last three years, he worked for him, but he never gave him any money for his work; there was some money which was in charge of another, man given to witness. Mr. John D. Smith gave to him \$25.20, which he spent that morning; neither Cating or anybody clae asked him for the money; was asked what he was not going to give un the meaning in the than the was not going to give un the meaning had not the last three had eighteen dollars, and wanted Jacob to advance him two in order to put twenty in the savings bank; he also said he left him because he did not want to kill Jacob's tiger.

Dr. Horace

also said he left him because he did not want to an Jacob's rigger.

Dr. Hornce Norton, of Newark, being duly sworn, deposed that he has practised seven years; has given his attention to the subject of diseases of the mind; has heard all the evidence of the case; he is satisfied that the prisoner is not endowed with the usual amount of intellect; he, in his opinion, was imbecile when he committed the murder.

intellect; he, in his opinion, was imbecile when he committed the murder.

Mr. Zabriskie, counsel for the prosecution, rose and said that he objected to the examination of Dr. Norton, on the ground that his examination was too scientific for an unlearned jury to understand.

Chief Jostice Greene, then rose and said that it was not necessary for a physician to give evidence in such cases as that He concluded by requesting Mr. Zabriskie to withdraw his motion.

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The examination was then continued. From his living in Ireland with Tim's father for no compensation, and not taking any part with his companions while enjoying themselves; his working for Smith, and giving away a present to a man he did not know, and desire that he might be killed or else he would kill himself; his proposal to marry the child, only eleven years old, impressed the witness that the prisoner was embedie; he appears to have lived by motive, and not to be influenced by motive as other men are; the prisoner seemed to him to lack what he considered a sound mind.

Cross-examined by Mr. Zabriskie.—The facts elicited before him on that day were enough, in his opinion, to establish the fact of his having but a diminished quantity of intellect.

Q. Can you tell me whether anger is an impulse or not?

Q. Can you tell me whether anger is an impulse or not?

A. I do not wish to answer that question.
Q. Are not most persons moved to anger by some cause or sense of wrong done to them? A. Yes.
Q. Then, can you tell me whether he was capable of distinguishing the difference between right and wrong?
A. I would like to leave that question to the Court.
The examination then continued He thought that when he intended to commit the murder he ought to have known the enormity of the crime.
Q. Then, do you, from what you have seed, think that he is capable of distinguishing the difference between right and wrong?

Dr. Carle then testified that the prisoner, in his opinion, was capable of knowing the difference between right and wrong. He had not the head of a Webster, nor was he capable of taking the place of the gentleman at the bar, but in his judgment he was sane to that degree that makes a man responsible for his actions.

The evidence on both sides here closed, and the Court adjourned until 9 o'clock the next morning.

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SECOND DAY.

The court met pursuant to adjournment, at 9 o'clock, when the names of the jurors were called, each one answering to his name.

Mr. Zabriskie, coursel for the prosecution, then submitted some authorities to the court defining insanity.

Mr. Bradley then summed up the evidence for the defence. They came there for an important object. The counsel for the pris ner untered on their duty in order that justice might be done and that the innocent should not suffer with the guilty. It was in order to being out those facts which may tend to serve the prisoner as well as to condemn him, that he filled the situation he then held. If he did not commit the murder it would be highly wrong to convict him. It was a selemn scase to see the trial of a murderer; it was one of those great features of their institutions to make the best search for evidence that may serve the prisoner. It was a beautiful feature, for even the jury did not know the moment when one of them might be accused, rightfully or wrongfulls. It was not necessary for him to urge any further considerations, except to banish from their minds anything like citas or prejudice. They should look upon the case as if they had not beneate the standard anybody saying anything about the occurrence. He would not ask them to deviate from the course of their own conscience in the matter. They should listen to the charge of the court with patience. In such a cause as the one before them, there was no room for resenting; it was not a place where there was room for biased opinions. The objects for punishment and trial in human society, on man by man, were multiform. There were more objects than one to be attained, the first and great one was to deter others from a like offence; the second, which was also a great one, and second only to the first in importance, was to

by inflicting punishment on a person of that description. It was true that when dumb asimals became feroclous their lives were taken at once, to get than out of the way, and this was because they were only dumb and of cajacity, guilty, they did not dealery hims, some the was still, with all his misfortunes, a human being—poor and degraded, in the last scale of humanity, it was true, but still a human being. Fearbapa he may be connected with them by the cleast ties of blood. He bere some likeness to the image of God. He did not suppose that there was any individual within the hearing of his voice who would wish to have a prisoner ascecuted for murder who had no capacity or responsibility. There injured. Whatever had wish one hair of his head to be imposed that there was not one of them who would harm him if he was proved irresponsible. Gestlemen of the Jury, such beies the principle that reason dictates on the aspect of punishment, for which the defendant stands changed, you absuld not attempt to judge him your raives, because you are not competent. The testimony clean has been made moderated the law, capable. The real question is not in the eye of the law, capable. The real question is not in the eye of the law, capable. The real question is not in the eye of the law, capable. The real question is not in the eye of the law, capable. The real question is not in depart, that would prevent him from doing this rash and the full may may satisfy thematisely the heats at the time of the courrence was combele or not of sppeciating the proper relation of both authorises. He would appeal more to the sense and reason of the things than to a large collection of book authority. The principles that govern the subject, he would inquire whether these was anything in that he would appeal more to the sense and reason of the things than to a large collection of book authority. The principles that govern the subject, he would be on their heads. It has a non-based and the subject he would inquire whether there was anything in the h

showed it.

Mr. Zabriskie then summed up the evidence for the presecution, stating in eloquent terms the account of the murder and the circumstances attending it. He argued that dectors' opinions, in a great many cases, differed, and that they could not depend on any one school of science.

cience.

Chief Justice Greene then proceeded to deliver hi charge to the jury, as follows:—This indictment, he said, charges that William Cating, the prisoner at the bar, on the dist December 1852, at the township of Washington, wilfully as def his matice aforethought, did kill and murder Mary O'Brien Whether he be guilty or not guil y as he stands charged in the inciclment, is that upon which you are sworn and charged to try. In order to convict the prisoner of the crime charged in the indistinent it is the prisener of the erime charged in the indistances, the necessary that the State should prove to your satisfaction: First, That Mary O'Brien was killed by the prisoner; second, that the killing was wifful; and, thisch that it was with melice aforethought, which necessarily implies that the prisoner was possessed of sufficient mental capacity to corrittute him an accountable agent, and to render him respensible for his actions. The precise time and menner of the deed is not material; nor is it material that you should be satisfied whether the killing was with the kinfe or the axe. It is enough if you are satisfied that the killing was done with the one or the other, or at child the satisfied whether the killing was with the kinfe or the axe. It he respect to the control of the case. The prisoner field after the mainfacts in the case. The prisoner field after the mainfacts in the case. The prisoner field after the mainfacts in the case. The prisoner field after the mainfacts in the case and a stated his motive for doing it. This statement he has more than once voluntarily repeated. Under these circumstances you will probably have no drificulty in arriving at the conclusion that Mary O'Brien came to her death by the hands of the prisoner, thought violence willfully indicted. It will reamin for you to inquire whether the killing was of malice afores thought; that is, not whether the prisoner was possessed of sufficient mental capacity necessary to constitute legal and went the malice necessary to constitute legal and moral guilt. It is obvious that, in order to contract logal or moral culpability, the actor must be a moral agent—being endowed sith reason and powers of reflection. An infant of tender years, an idioi or lunasia, aperison form any cause destitute of moral sense, or the power of disriguishing between right and wrong, merit or demerit, can obviously neither contract guilt nor become the proper subject of human subject. Our many cause destitute of moral sense, or with technical sense of human capacity,

ngainst kim, was not (trying by the standard fixed by the law) morally or legally responsible, your verdict should be not guilty." By reason of inanity. If, on the other band, you arrive at a different conclusion, and that the prisoner at the bar killed Mary O'Brien wilfully and of his malice aforethought, your verdict will be "guilty." If such should be your conclusion, it will then be your duty further to exquire and find whether the crime of which the prisoner is guilty is under the first er second degree. The law declares that all murder which shall be perpetrated by means of poison, or by lying in wait, or by any other wilful, deliberate and premeditated killing, shall be murder in the first degree. If the killing, though wilful, be not deliberate and premeditated, it is murder in the second degree. No particular length of time need intervene between the formation of the purpose to kill and its arccution. It is not necessary that the deliberation and premeditation should continue for a day or an hour. It is enough that the design to kill be fully conceived and purposely executed. If such be your conclusion in the precent case, your verdict will be guilty of murder in the first degree.

VERDICT.

At the conclusion of the charge the interventices

At the conclusion of the charge, the jury retired for about an hour, when they entered the room again, amidet the greatest excitentent; the foreman said that they had agreed, and found William Cating guilty of murder in the first degree. The jury were then discharged by the court, which adjourned until 7 e'clock P. M.

the Bret degree. The jury were then discharged by the court, which adjourned until To 'elock P. M.

BENTENCE.

Long before the appointed hour, the court house was literally crammed with persons of both sezes, anxious to gaze on the face of the prisoner, and to hear the sentence of the ceut. At 7 o'clock the court opened, and in the most selemn manner thief Justice Greene sentenced the prisoner to be hung at Blackensack, on Tuesday, the 28th of June.

APPEARANCE AND DESCRIPTION OF THE PRISONER.

Buring the course of the whole trial, the prisoner appeared to be unconscious of all that was passing around him, but when he was removed from the prison to the court to kear the verdict of the jury, he became so weak that he had to lean on the keeper for support. He received the sentence with apparent calmness, but looked pale, and appeared to be very low spirited. The prisoner was born in the courty of Tipperary, Ireland, and emigrated to this country about three years ago. He is a very small man, not being over four feet six inches in height. He is fifty-six years of age, but to a casual observer he does not appear to be more than forty years old. He has a very large head, with a very blank expression of countenance, and rather inclined to be melancholy.

Tather Gavaszi delivered the first lecture of his second series at Metropolitan Hall, list evening. Owing to the severe weather which we then experienced, the attendance was very limited. There were about one hundred and fifty persons present at eight o'clock. When the

Padre made his appearance, he was hailed with loud ap-plause. He said—Before I begin to speak upon subject my Italian and other hearers that I will devote to morrow evening to the speaking about our common friends, the Jesuits. I trust the evening will be more favorable than this, which we would call in Italy, a black one, and which, I believe, is a true type of a Jesuit's conscience. It is ne-cessary that I should observe that the Roman Catholic church is not out of the pale of salvation, as she has Christ for a foundation; but, if it were possible to cut away Christ from the Popish system altogother, there works of supererogation, and not by faith in him. Paul says, "Our foundation is Christ," and that is the stone upon which to build; but, instead of that, the Popish system was built out of all sorts and classes of works, and pure religion was thus transformed into Paganism. Therefore, I respect the people of the Romish Church, for they are ignorant of the working of the priesthood, who founded a rotten system upon the pure Gospel of Christ. Some members of the Popish system may be aswed; but, as they make salvation to depend upon works, it is very cifficult for them to obtain heaven; and exist John Chrysostom believed that only one in every one thousand to be a surface of the property of th

word of God. (Loud cheers.)

Destructive Fire in Philadelphia.—Yesterday afternoon, about half past six o'clock, a fire was discovered in the extensive five story wholesale fancy dry goods signe of Messrs. J. & J. P. Steiner & Co., 75 North Third street, above Arch. It originated in the third story, which, with the two upper stories, were burned out, together with a large and valuable stock of goods. The lower portions of the building were inundated with water, and the damage and destruction of goods was concequently very great from that cause. Messrs. Steiner ovn the building, and from the injury to the same and damage to their stock, they estimate their loss at about \$70,000, which is covered by Insurance, the greater portion of the loss falling upon insurance companies at the East. Messrs. Rex, Brown & Co., large dry goods dealers, adj. ining on the north, suffered from water principally, the fire doing but slight damage at and about the roof. Their loss is estimated at from \$15,000 to \$20,000, which is covered by insurance. A. Stevenson, Jr., & Co., tobacconists, adjoining Messrs Steiner's on the south, suffered also from the water; their loss, it is supposed, will amount to several thousand dellars—covered by insurance. The building is sowned by G. H. Woodward, who is insured. Bartolott & Rlynn, hatters, No. 71, suffered from water. Loss, perhaps, \$1,000—insured. Was. Mestroch. ever Messrs, B. & suffered slightly from water. The total loss will reach \$100,000, being divided about equally between Fastern and Philade Phia insurance companies —Philadelphia Inquirer, April 22,